

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 24-CR-131 (JRT/LIB)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	MOTION FOR MENTAL
)	HEALTH EXAMINATION OF
WARREN HOLT, JR.,)	THE DEFENDANT
)	
)	
Defendant.)	

The United States of America, by and through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, and Kristian Weir, Assistant United States Attorney, respectfully moves this Court, pursuant to 18 U.S.C. § 4242(a) and Federal Rules of Criminal Procedure 12.2(c), for a pretrial mental health examination of the defendant by a licensed or certified psychiatrist or psychologist to determine whether he was insane at the time of the offense alleged in the indictment. As grounds for this motion, it is represented to this Court that:

1. The Defendant has filed a Notice of Insanity Defense pursuant to Federal Rules of Criminal Procedure 12.2 (Doc. No. 22) thereby placing the United States on notice that the defendant intends to rely on the defense of insanity at the time of the alleged offenses.

2. Upon the filing of a notice, as provided in Rule 12.2, pursuant

to 18 U.S.C. § 4242(a), the Court, upon motion by the Government, shall order a mental health examination of the defendant to determine whether he was insane at the time of the alleged offense under 18 U.S.C. § 4242(b). The granting of the government's motion is mandatory. F.R.Crim.P. 12.2(c)(2); 18 U.S.C. § 4242(a). Under Title 18, United States Code, Section 4247(c), the report shall include the defendant's history and present symptoms; a description of the psychiatric, psychological, and medical tests that were employed and their results; the examiner's findings; and the examiner's opinions as to diagnosis, prognosis, and if the examination is ordered under Section 4242, whether the person was insane at the time of the offense charged.

3. The Government requests that the mental health examination be conducted by a licensed or certified psychiatrist or psychologist from the Bureau of Prisons. Accordingly, the Government requests that Warren Holt, Jr. be committed to the custody of the Attorney General for placement in a facility suitable for that purpose for a reasonable period not to exceed forty-five days. 18 U.S.C. § 4247(b).

WHEREFORE, it is respectfully requested that the defendant be ordered to undergo a mental health examination pretrial to determine the existence of insanity at the time of the alleged offense.

Dated: June 27, 2024

Respectfully Submitted,

ANDREW M. LUGER
United States Attorney

s/ Kristian Weir
BY: KRISTIAN WEIR
Assistant U.S. Attorney
Attorney ID No. 0396771